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January 26, 2007

Via CM / ECF

Honorable Sue L. Robinson
United States District Court
844 King Street
Wilmington, DE 19801

Re: Connecticut Bank of Commerce v. Republic of Congo,
Defendant, CMS Nomeco Congo, Inc., Garnishee
Civil Action No. 05-762 SLR

Dear Judge Robinson:

On behalf of garnishee CMS Nomeco Congo, Inc., I am enclosing a form of briefing order for the threshold legal issues to be addressed by the parties, consistent with the parties' agreements and the Court's rulings at the conference held on Thursday last week, January 18, 2007. We have reviewed the transcript of the hearing and have conformed the description of the issues to be briefed with the language that was agreed upon by the parties at the January '8 hearing and that was then dictated into the record.

Unfortunately, we have been unable to reach agreement with Af-Cap on the form of the briefing order. Af-Cap has insisted on revising the language of the issues to be briefed, such that the phrasing would be different from that upon which the parties presented to the Court at the January 18 hearing after having reached agreement during the break in the hearing. Af-Cap has also taken the position that additional issues should be included in the briefing, even though the Court ruled at the hearing that the briefing would be limited to the two issues (and related sub-issues) that were expressly identified at the hearing. Accordingly, CMS Nomeco is submitting the enclosed Order for the Court's consideration.

Respectfully,

/s/ M. Duncan Grant

M. Duncan Grant (Del. Bar No. 2994)



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Enclosure

cc: Dennis Meloro, Esq. (w/enc.) - Via CM / ECF